

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

CHARLES C. HUNTER,

Plaintiff,

v.

Civil Action No. **3:18CV06**

AUDRA O'BRIEN, *et al.*,

Defendants.

MEMORANDUM OPINION

On January 25, 2018, the Court conditionally docketed Plaintiff's action. Plaintiff requested leave to proceed *in forma pauperis*. By Memorandum Order entered on March 12, 2018, the Court directed Plaintiff to pay an initial partial filing fee of \$2.30 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. *See* 28 U.S.C. § 1915(b)(1). Instead of doing either, Plaintiff noted his appeal of the Court's Memorandum Order. (ECF No. 15.) More than eleven (11) days have elapsed and Plaintiff has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Plaintiff is not entitled to proceed *in forma pauperis*. Plaintiff's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate order shall issue.

Date: **4/12/18**
Richmond, Virginia



John A. Gibney, Jr.
United States District Judge